



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chiocca *et al.*

Appl. No.: 09/653,277

Filed: August 31, 2000

For: **Cell-Specific and/or Tumor-Specific Promoter Retargeting of Herpes Gamma 34.5 Gene Expression**

Confirmation No.: 4747

Art Unit: 1632

Examiner: Woitach, J.

Atty. Docket: 0609.4880002/JAG/KRM

Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

It is hereby requested that the period for replying to the Notice of Appeal filed November 19, 2003, be extended one month from January 19, 2004 to February 19, 2004 by the filing of this Petition and fee payment.

The petition fee (37 C.F.R. § 1.17(a)) is believed to be \$55.00 for a one month extension for a small entity. Fee payment is provided in our accompanying PTO-2038 Credit Card Payment Form. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Date: February 19, 2004

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